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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Wood Anthony Maguire,

10 Petitioner,

11 v.

12 David Shinn, et al.,

13 Respondents.  
14

No. CV-21-01725-PHX-DWL

**ORDER**

15 Pending before the Court are Petitioner's Petition for Writ of Habeas Corpus  
16 pursuant to 28 U.S.C. § 2254 (Doc. 1) and the Amended Report and Recommendation  
17 ("R&R") of the United States Magistrate Judge (Doc. 10). The R&R, which was issued  
18 on June 10, 2022, recommended that the petition be denied and dismissed with prejudice  
19 and further provided that "[t]he parties shall have 14 days from the date of service of a  
20 copy of this Report and Recommendation within which to file specific written objections  
21 with the Court." (Doc. 10 at 20-21.) Petitioner later sought and received an extension of  
22 the objection deadline to July 15, 2022. (Docs. 11, 12.) However, that deadline has now  
23 expired and no objections have been filed.

24 Thus, the Court accepts the Magistrate Judge's recommendation. *See, e.g., Thomas*  
25 *v. Arn*, 474 U.S. 140, 149-50 (1985) ("It does not appear that Congress intended to require  
26 district court review of a magistrate's factual or legal conclusions, under a *de novo* or any  
27 other standard, when neither party objects to those findings."); *Schmidt v. Johnstone*, 263  
28 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) ("[N]o review is required of a magistrate judge's


1 report and recommendation unless objections are filed.”). *See also United States v. Reyna-*  
2 *Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (“[T]he district judge must review the  
3 magistrate judge’s findings and recommendations de novo *if objection is made*, but not  
4 otherwise.”).

5 Accordingly,

6 **IT IS ORDERED** that the R&R’s recommended disposition (Doc. 10) is accepted,  
7 that the Petition (Doc. 1) is denied and dismissed with prejudice, and that the Clerk of  
8 Court shall enter judgment accordingly.

9 **IT IS FURTHER ORDERED** that a certificate of appealability and leave to  
10 proceed in forma pauperis on appeal be **DENIED** because petitioner has not made a  
11 substantial showing of the denial of a constitutional right and because the dismissal of the  
12 petition is justified by a plain procedural bar and jurists of reason would not find the  
13 procedural ruling debatable.

14 Dated this 22nd day of July, 2022.

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19 Dominic W. Lanza  
20 United States District Judge  
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